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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,999	08/01/2003	Jens Riehmann	A 91 777/Ir	8989

7590 01/31/2005

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EXAMINER

HOPKINS, ROBERT A

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 01/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/632,999

Applicant(s)

RIEHMANN ET AL.

Examiner

Robert A Hopkins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-18 and 20 is/are allowed.
- 6) ☒ Claim(s) 19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8-1-03, 3-19-04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 19 recites "having an approximately cylindrical, and in particular slightly conical configuration". The phrase "and in particular" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Allowable Subject Matter

Claims 1-18 and 20 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 1 recites "wherein said centrifugal separator includes at least two cyclones, and wherein discharge flows from said cyclones are respectfully combined in pairs; and a common suction tube, wherein said paired discharge flows open out into said suction tube". Uhl et al(2004/0231633) discloses an intake system for the combustion air of a motor of a hand held implement, including an air filter having a clean chamber connected with a carburetor of the motor, a centrifugal separator, wherein the centrifugal separator includes at least two cyclones(19). However the discharge flows are not combined in pairs. The discharge flows combine together and flow to a

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return(20) which leads to a fan wheel of the parting off grinder. Also the effective filing date of the publication is May 20, 2004, therefore the reference is not a valid 102(e) reference. Linsbauer et al(6681726) discloses an intake system for the combustion air of a motor of a hand held implement, including an air filter having a clean chamber connected with a carburetor of the motor, a centrifugal separator, wherein the centrifugal separator includes a single cyclone separator having a discharge flow in connection with a suction tube(33). However, Linsbauer et al does not disclose at least two cyclones, and wherein discharge flows from said cyclones are respectfully combined in pairs; and a common suction tube, wherein said paired discharge flows open out into said suction tube. Lincoln(2424572) discloses a dust collector having a plurality of parallel vortex separators, wherein a pair of converging dust outlets(11) lead to a single receiving chamber. However, Lincoln does not disclose that the receiving chamber is a common suction tube, and also does not disclose an air filter having a clean chamber which is fluidically connected with a carburetor of a motor. Koslow(4537608), Durre et al(4746340), and Axmann et al(3877454) all disclose an air cleaner including a plurality of vortex separators, wherein the discharge flows from all of the cyclones flow into a common suction tube. It would not have been obvious to someone of ordinary skill in the art at the time of the invention to provide a centrifugal separator which includes at least two cyclones, and wherein discharge flows from said cyclones are respectfully combined in pairs; and a common suction tube, wherein said paired discharge flows open out into said suction tube because none of the references

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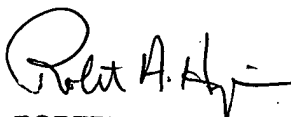
above, alone or combined, suggest such a combination. Claims 2-18 and 20 depend on claim 1 and hence are also allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A Hopkins whose telephone number is 571-272-1159. The examiner can normally be reached on Monday-Friday, 7am-4pm, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rah
January 27, 2005


ROBERT A. HOPKINS
PRIMARY EXAMINER
A-U.1724